

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

Plaintiff

v.

JUAN ALBERTO MARQUEZ AVILA (06)

Defendant

21-002-06 (DRD)

CRIMINAL NO.: 12-483 (JAF)

**MOTION FOR LAFLER/FRYE HEARING**

**TO THE HONORABLE COURT:**

**COMES NOW**, defendant Juan Alberto Marquez Avila (06) represented by the undersigned attorney and hereby respectfully **STATES** and **PRAYS** as follows:

1. On August 3<sup>rd</sup>, 2021, the Government extended a plea offer to Mr. Marquez Avila. At that time, Mr. Marquez was incarcerated in the Tallahatchie County Correctional center in Mississippi, and the plea offer was communicated to him by letter dated August 16, 2021.

2. Several VTC conferences took place after that in order to discuss the offer, and other defense related matters.

3. Notwithstanding, and despite our best efforts at communicating to our client the advantages afforded by entering a plea agreement under the terms offered by the Government, we have come to a standstill in following through with an actual change of plea and execution of the final plea agreement with the Government.

4. Under these circumstances, the undersigned strongly feels a Lafler/Frye hearing is in order to discuss on the record the terms and conditions of the plea offer, and Mr. Marquez's understanding of same.

5. Mr. Marquez Avila is presently incarcerated at MDC Guaynabo.

6. We would request such hearing be scheduled in person, rather than by VTC.

**WHEREFORE**, it is respectfully requested from this Honorable Court to schedule a hearing as requested herein.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 17th day of May, 2022.

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to all counsel of record. .

**S/JOSE LUIS NOVAS DEBIÉN**  
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